

23 August 2013

P.O. Box 740
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FCC Mail Room

Office of the Secretary
Federal Communications Commission
445 12th Street S.W.
Washington DC, 20554

RE: WC Docket No. 12-375
Rates for Interstate Inmate Calling Services
78 FR 4369

Dear Madam or Sir;

I thank you on behalf of all inmates who have been abused by greedy states and greedier monopolists for capping the rates that may now be charged for interstate calls. I also thank you for the opportunity I was given to respond by way of "public comment" to the Notice of Proposed Rule Making. I first became aware of the NPRM in a **Wall Street Journal** article and suspect that I was one of the few (if not only) who are incarcerated that actually answered the request for comment.

While it was the **Wall Street Journal** that informed me of your decision, the article did not report the effective date of your decision. Please send me a copy of the rule-making decision and let me know if the imposition of the new rates has been delayed by legal or administrative challenges by the inmate calling services. If the ICS companies are challenging the ruling, please let me know how I can answer the challenge.

I thank you for your courageous decision and look forward to hearing from you soon.

Sincerely,

Larry Randlett

Larry Randlett, 446-914
MB 153

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**BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION**

WC DOCKET NO. 12-375

RATES FOR INTERSTATE INMATE CALLING SERVICES

78 FR 4369

COMMENTS ON PROPOSED RULEMAKING

**Office of the Secretary
Federal Communications Commission
445 12th Street SW.,
Washington DC, 20554**

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Agency Caps Inmates' Phone Rates

By JOE PALAZZOLO

The Federal Communications Commission voted Friday to cap rates for prisoners' telephone calls, ending an era in which inmates were charged as much as 89 cents a minute on top of setup fees that ran as high as \$3.95 a call.

The commission's 2-1 vote caps interstate charges for prepaid calls at 21 cents per minute and collect calls at 25 cents per minute. Those are still high at a time when unlimited long distance offerings are commonplace, but prisoners can file challenges and seek refunds for rates exceeding 12 cents per minute and 14 cents per minute for regular and collect calls, according to the FCC.

The move is the culmination of a process that began more than a decade ago when Martha Wright, a Washington, D.C., grandmother, filed a petition with the agency because she wanted to speak with her grandson, who was serving a murder sentence outside the district, without incurring \$18 in charges for a five-minute phone call.

Telecommunications companies and law-enforcement groups had argued the higher rates were reasonable in light of the costs of oversight, security and technology required to monitor calls and analyze recordings.

But the FCC majority said the rates reflected agreements in which states looked for the biggest commission rather than the best deal for consumers, and that the burden was largely borne by inmates' families.

"Their wait is finally over," said acting FCC Commissioner Mignon Clyburn, invoking the words of singer Sam Cooke. "It's been a long, long time coming, but change has finally come."

Prisoners' rights groups say the high rates stemmed from so-called site commissions—payments that phone-service providers agree to pay to the states in order to win business from

prisons. Prisoners have argued unsuccessfully in federal court that exclusive arrangements between prisons and service providers restrict their phone choices and drive up rates, chilling their speech in violation of the First Amendment.

Last year, the Eighth U.S. Circuit Court of Appeals rejected the First Amendment claims of an Arkansas prisoner who said a 10-minute interstate call cost him \$10.48, plus taxes and other charges.

The Eighth Circuit case highlighted a contract between the Arkansas Department of Corrections and Global Tel*Link, in which the company turned over 45% of its gross revenue to the prison system.

According to a study by Prison Legal News, a prisoner-advocacy group, states receive on average 45% of revenue from prisoners' calls.

The FCC decision also barred service providers from adjusting their interstate rates to account for such commissions, and from charging higher rates for those who use telecommunications relay services because of hearing or speech disabilities.

A spokesman for Global Tel*Link, which according to its website provides service to about 50% of inmates nationwide, didn't immediately respond to a request for comment. The company is owned by New York-based private-equity firm American Securities LLC, which didn't respond to a request for comment.

CenturyLink Inc., another major service provider, declined to comment. Another provider, Securus Technologies Inc., didn't immediately respond to a request for comment.

Inmate calling services are typically limited to collect or

debit-based calling from pay phones. The new regulations apply only to interstate communications, but the commission has asked for public comment on revising rates for intrastate calls. Some service providers in meetings with FCC staff said their business could become unsustainable if the FCC lowered interstate rates without addressing rate caps set by the states for calls within their borders.

Commissioner Ajit Pai, who dissented from the ruling, said he supported regulation of inmate calling rates but questioned whether the FCC had the resources to sort legitimate costs from others.

"To put it simply, I'm concerned the order will prove very difficult to administer and have unintended consequences," he said.

—Ashby Jones
contributed to this article.



Anthony Fraser, a family member affected by the high telephone rates charged to prison inmates, listens to Friday's Federal Communications Commission hearing in Washington.